

CHINA (House of Representatives - April 25, 1991)

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The SPEAKER pro tempore (Mr. **Andrews** of New Jersey). Under a previous order of the House, the gentleman from New Jersey [Mr. **Smith**] is recognized for 60 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, first of all let me begin by expressing my very deep and abiding gratitude and respect to my good friend, Congressman **Frank Wolf**. There is in the Congress, Mr. Speaker, and I think this body knows it well, no greater friend of the oppressed and the disenfranchised than **Frank Wolf**. There is no one who is more tenacious nor is there to be found a more consistent champion of human rights wherever and whenever those rights are violated anywhere in the world.

His work on behalf of the persecuted Romanians, for example, in taking the lead in denying most-favored-nation status to that country during the height of the Ceausescu regime when many, including in this body, were lauding that regime as being somehow different from its counterparts in Eastern Europe, clearly shows his insight.

He has always been a great friend of the starving black Africans in the Sudan and Ethiopia, and has been to those camps, as well as a very good friend of oppressed Christians and Jews, particularly during the height of the terror in the Soviet Union.

So let me say he is a man that is not only warmhearted and often leads with his heart, but he is very tough-minded, and you need that when you are prosecuting human rights and trying to promote them worldwide.

Mr. Speaker, as my friend and colleague noted a moment ago, the gentleman from Virginia [Mr. **Wolf**] and I, joined by Christian Solidarity International leader Steve Snyder and a member of my staff, Dorothy Taft, journeyed to the People's Republic of China for a week-long series of meetings in Beijing and Shanghai. We met with various Government officials from Premier Li Peng to prison warden Zhou as well as the Beijing Prison No. 1, operated by the Bureau of Justice.

The meetings we had were extensive, they were frank, and they focused exclusively on human rights.

We pointed out to Li Peng and each of the Government officials with whom we met that the June 4, 1989, massacre was America's and indeed the world's wake-up call concerning the terrible condition of human rights in the People's Republic of China.

During our visit we had extensive talks with Premier Li Peng; Peng Peiyun, Minister of the State Family Planning Commission; Zhu Rongji, the mayor of Shanghai, and since named Vice Premier of China; Ren Wuzhi, Director of the Religious Affairs Bureau; Ambassador Chai Zemin, the Chinese People's Institute for Foreign Affairs President and former Ambassador to the United States, as a matter of fact the first Ambassador; Ambassador Zeng Tao of the Chinese Foreign Affairs Committee; and religious leaders, including Bishop Jin of Shanghai.

[TIME: 1250]

In each meeting we stressed that respect for fundamental human rights is the cornerstone--and is absolutely central--to improved United States-People's Republic of China relations. I believe that United

States concern over Soviet hegemony and the so-called China card which we heard over the last couple of decades has been replaced with human rights, and mutual economic cooperation in the 1990's will be enhanced by adherence to or harmed by negligence to internationally recognized human rights norms and standards.

Mr. Speaker, there is no question whatsoever that the Chinese people are a great people, a gifted people, industrious, hard-working, a gentle people, and a good people. Both the gentleman from Virginia [Mr. **Wolf**] and I, and I believe this entire body, and the President, believe that they deserve the abiding respect of their Government. To date they have not had it.

As the gentleman from Virginia [Mr. **Wolf**] and I met with each official including Li Peng, we focused on three major areas of human rights; first, the detention of thousands since the crackdown on the prodemocracy movement in June 1989 and the unfair sentences given to those who bravely held the demonstrations in Tiananmen Square; second, the incessant harassment and imprisonment of religious leaders and lay people; and, third, the coercive population control policies, the intrusive tactics employed by the Government which includes forced abortion, involuntary sterilization, female infanticide, and mandatory insertion of IUD's.

We pointed out to the Government officials in all of our meetings that these are crimes against humanity and noted that on two occasions this body, the House of Representatives, had gone on record to declare them as crimes against humanity reminiscent of crimes against humanity that were committed against Polish women and cited as such during the Nuremberg war trials.

Although we were told by Government officials, Mr. Speaker, that there were no political prisoners in China, which is simply untrue, we called on the Government to release and provide amnesty for the students, intellectuals, workers, and other prodemocracy leaders who had been severely punished for pressing reforms in China. We presented Li Peng a list of known cases that we hope he will review and personally call for their release. He told us in our conversation that he would pass that list on to the judicial authorities, and it is our hope that all of these people will be released in the very near term.

During our visit to Beijing Prison No. 1, we were advised by warden Zhou that there were some 40 prisoners who were there that were there as a result of their activities in the June 1989 prodemocracy demonstrations. Immediately upon learning that, because it was news to each of us including our own Embassy in Beijing, we requested to speak with these prisoners. We asked for a list of their names, their alleged crimes that they were purported to have done. We were denied that access with the feeble explanation that the day on which we were visiting happened to be a so-called day of rest and, furthermore, warden Zhou suggested that the 40 prisoners were scattered throughout the prison. We said, 'Let us see one,' and we were denied that opportunity.

We also aggressively requested to meet with democracy wall movement activist Xu Wenli. Mr. Xu is serving his 9th year of a 15-year sentence for so-called counterrevolutionary activities and 4 years' denial of political rights. Prior to his arrest in 1981, Mr. Xu was a leader in the democracy spring movement and bravely wrote a list of some 20 suggestions for the Central Committee of the Communist Party to consider. He also helped to initiate the proreform April 5th Forum Journal. He has been in solitary confinement since 1986, and warden Zhou adamantly refused our request to meet with Mr. Xu. We were told again in a very feeble way that he simply did not want to meet with foreigners. We said, 'Let us judge that for ourselves. Let us pass him our business cards and let him make that decision.' But we were denied that.

Mr. Speaker, as Members of this body know, the Chinese Government continues to refuse to issue a list

of individuals who have been detained, arrested, or tried as per their participation in the prodemocracy movement. In fact, it is unclear exactly who has been arrested and who has been, perhaps, released.

Stating from a legal perspective, the Chinese Constitution, in article 37 states that, 'Unlawful detention or deprivation or restriction of citizens' freedom of the person by other means is prohibited.' Furthermore, the Code of Criminal Procedure provides that, 'Unlawful detention of another person or unlawful deprivation of his personal freedom by any other means shall be strictly prohibited.' Notwithstanding these paper promises, the pseudoprotectons in Chinese law, unjust and unlawful detentions continue.

Mr. Speaker, much attention has been given to the trials and the totally undeserved sentences meted out to the students and intellectuals involved in the Tiananmen Square demonstrations. As a matter of fact, I would note parenthetically that during the course of our talks with

various Government officials, each and every time the gentleman from Virginia [Mr. **Wolf**] and I referred to those arrests and beatings, and the killings as the Tiananmen Square massacre, which the whole world knows was a massacre, we were corrected and were told it was 'merely an incident.'

Mr. Speaker, as noted by Asia Watch, in a February presentation to Congress, and I quote:

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Thousands of ordinary workers throughout China who supported the student demonstrations or protested the attacks on Tiananmen Square were arrested and charged as common criminals. They received severe sentences ranging from several years to life imprisonment and even death.

I would note for the record, Mr. Speaker, that this charade has gone on in a number of Communist countries. In the early 1970's, Ceausescu in Romania, because of the kind of international backlash he was receiving, said that there will no longer be any political prisoners; people would be arrested for other reasons. Of course, everyone knew they were being arrested for their political activity.

Mr. Speaker, the leader of the Autonomous Federation of Beijing Trade Unions, Han Dongfang, has been held primarily in solitary confinement since June 1989, and is reported in deteriorating and very, very poor health.

The outlawed federation which was formed in May 1989 is the very first independent labor union in the history of the People's Republic of China. He is thought to be in the infamous maximum security prison known as Qincheng Prison on the outskirts of Beijing.

Sometimes referred to as China's Lech Walesa, Han was instrumental in organizing and energizing the workers to support the student-led prodemocracy movement in the spring of 1989. We are all concerned about his fate, and his fate remains uncertain.

Mr. Speaker, as one of the organizers of the student protest marchers, 22-year-old Wang Dan courageously wrote:

We make no attempt to conceal the aim of the current student movement, which is to exert pressure on the government to promote the progress of democracy. Peoples yearning for democracy, science, human rights, freedom, reason, and equality which lack a fundamental basis in China have once again been aroused.

Mr. Speaker, we should respect this deep character, the strong character of this man and a man who is also paying a dear price for speaking out.

In addition to the list of prodemocracy leaders, Mr. Speaker, the gentleman from Virginia [Mr. **Wolf**] and I, as a matter of fact, my friend, the gentleman from Virginia [Mr. **Wolf**], walked over and presented--placed right in the hand of Li Peng--this list of religious believers who have been unjustly incarcerated or are facing house arrest. The list of Christian believers includes bishops, priests, Protestant pastors, and lay leaders, in all some 77 about whom we have specific details. We are concerned that there are many others about whom we have no verifiable information, but we care no less about their fate.

We respectfully, and yet we firmly, asked Premier Li Peng that these innocent men and women be set free. We reiterated the fact that the unfettered right to practice one's religious faith is an internationally recognized human right. This is not just a U.S. position or a position of the U.S. Congress. It has been universally recognized in the U.N. Declaration of Human Rights and several other covenants, treaties, and declarations issued by that world body.

Premier Li told us when he accepted the list that he would, indeed, look into it; he would pass it on to judicial authorities, and we await with some expectation and hope that we will see the amnesty which we seek.

We also noted in our meeting with Li Peng and other leaders our shock and alarm concerning the promulgation of new draconian regulations in certain provinces including provisional regulations announced last October for the Xingiang Uygur Autonomous Region.

[TIME: 1300]

These regulations would prohibit 'any religious organization or believer to do missionary work or publicize theism in places other than those prescribed for religious activities.' Of course, that usually means only within the church building.

Moreover, distribution of religious literature not approved by the responsible government department would not be permitted. The work of itinerant pastors would also be curtailed entirely. As with other repressive regimes, the Chinese Constitution pays lip service to the freedom of religion in practice and belief. Article 36 of their Constitution states 'Citizens of the People's Republic of China enjoy freedom of religious belief. No state organ, public organization, or individual may compel citizens to believe in or not to believe in, any religion, nor may they discriminate against citizens who believe in, or not believe in, any religion.'

Of course, that sounds great on paper. Real life story is a different story. It is our understanding that a new national law is now being drafted, and this is why those new regulations being promulgated in the province are so ominous. We hear and have heard many concerns from our own Embassy and others. A new national law on religion may parallel those coming out of the provinces. The gentleman from Virginia [Mr. **Wolf**] and I have encouraged the incorporation of provisions allowing the free exercise of religion, the right to evangelize, to meet, and the right to establish and maintain contacts with coreligionists in other lands. We noted the irony of promoting government-to-government contacts, which they desperately want, which are clearly beneficial, while imprisoning and persecuting those who maintain contacts with people of their faith and those in other faiths. There is a focus on precluding contact with the Catholic Church and the Vatican. This is shameful.

Finally, we expressed our profound sorrow and deep sadness concerning the vicious assault on the Chinese family, as a direct result and consequence of their restrictive one-child-per-couple policy. I say to my colleagues and to the Speaker, can Members imagine in our country a situation in which, by State edict, a person is proscribed, a person is precluded from having a second or a third child? In China, the Government tells families when and if they can have a first child, and when and if in a very, very rare number of cases, a family can have a second child.

There is no doubt whatsoever, Mr. Speaker, that coercion in China's family-planning program is pervasive and has taken the form of forced abortion, economic penalties, involuntary sterilization, and mandatory insertions of IUD's.

Chinese women in particular have been victims of this brutal, systematic invasions of their personal privacy, which I would suggest is the most brutal invasion of a woman's rights, in the history of the world. The wanton loss of the lives of children today is far in excess of 100 million killed by abortions since 1979, and hundreds of thousands killed by infanticide, and many hundreds of thousands more killed right at the moment of birth with injections into the cranium of formaldehyde and other poisons, is a tragedy beyond comprehension.

History will undoubtedly record this dark experiment in government control of family life, replete with its apologists and unwitting boosters abroad, and will look back at this in horror.

I believe that someday even in China, even among government officials, it will be repudiated in a way not

unlike the current disdain for the Cultural Revolution.

Earlier this year in a book entitled 'Slaughter of the Innocents, Coercive Birth Control in China,' demographer John Aird, a recently retired specialist with the U.S. Census Bureau, concluded:

Attempts by Chinese officials and by foreign defenders of the Chinese program to represent the changes in China's family planning policy since 1984 as a major and continuing relaxation of program requirements are not in accord with the facts. The Chinese program remains highly coercive, not because of local deviations from central policies but as a direct, inevitable, and intentional consequence of those policies. Foreign organizations--

And I would insert here, including the U.N. Population Fund--

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and individuals that indiscriminately laud the Chinese program or provide financial or technical assistance for any aspect of it place themselves in the position of supporting the program as a whole, including its violation of human rights.

Mr. Speaker, I would point out that even the director, the head of the organization, the U.N. Population Fund, Dr. Sadik, said on CBS Nightwatch on November 21, 1989, that 'The implementation of the policy [in China] and the acceptance of the policy is purely voluntary.' That, my friends, is an unmitigated lie. It is simply not true.

Mr. Speaker, while this book by Dr. Aird is probably the most extensive analysis, because it is

extensively footnoted, of the brutality of the Chinese program, it is certainly not the first book or article to document these egregious abuses. In January 1985, Beijing corresponding to the Washington Post, Michael Weisskopf, wrote a three part, page 1 series of stories exposing these atrocities. In one of those articles entitled 'Abortion Policy Tears at China's Society,' Mr. Weisskopf perhaps best summarized the situation. It was a very extensive article. He summarized it by saying,

No government program has cut so deeply into Chinese society nor inspired such strong resistance in 35 years of Communist rule as the struggle to trim China's population. . . . Publicly, [the Chinese officials] they claimed to rely on the powers of persuasion and education, exercising a policy of voluntary consent.

We heard those same kinds of assertions, and I interrupt the quote here, when we met with Li Peng and Peng Peiyun, 'the program is purely voluntary.' This is simply not true.

Michael Weisskopf continues by saying,

But a closer and longer look reveals a very different picture. China, to be sure, is curbing population growth, but its success is rooted in widespread coercion, mass abortion and intrusion by the state into the most intimate of human affairs.

Mr. Speaker, 2 years later, Judith Banister's book published by the Stanford University Press, 'China's Changing Population,' asserted that

Some of the provincial governments appear to be unconcerned with the detrimental effects that forced abortion has on women. All that seems to matter, if the press is any guide, is keeping down the number of births each year in the province through any means.

The coercive policies are pervasive throughout China, and in a very genocidal way, they also extend to the autonomous regime of Tibet. John F. Avedon, who has researched and written extensively on Tibet, wrote in the Washington Post and also testified before the Subcommittee on Human Rights and International Organizations of the Committee on Foreign Affairs, to this effect. I would note that I am a member of that committee. Mr. Avedon wrote in his article, 'The Rape of Tibet' in

March of 1989, in the Washington Post:

The new Chinese society is not merely displacing Tibet's ancient culture, it is actively destroying it. The harsh face of Chinese rule includes thousands of forced abortions and sterilizations of Tibetan women each year. The common method for both procedures is by injection. In Chamdo, Tibet's third largest city, there have been numerous reports of fetuses thrown out in the storm drains and garbage bins of the People's Hospital. In Lhasa, many Tibetan women have heard their newborns cry, only to be told that their infants died at birth.

Mr. Speaker, of course there are other issues surrounding the United States-People's Republic of China relations which have and must continue to be included in the dialog with the People's Republic of China. I believe, Mr. Speaker, however, that these issues of human rights, including other issues, and as the gentleman from Virginia [Mr. **Wolf**] referred to some of these, the issue of forced prison labor or indentured labor under penal sanctions must be included among the myriad of other human rights abuses which we cite and which we protest. Throughout my tenure in Congress, Mr. Speaker, I have had a grave concern regarding the exploitation of workers in forced labor camps.

In 1983, for example, the House approved my bill condemning the gulag system of labor employed by the Soviets. I commend the U.S. Customs Service and the international labor community for their tireless vigilance in trying to keep prison-labor-made items out of the U.S. market.

[TIME: 1310]

The gentleman from Virginia [Mr. **Wolf**] again in keeping with his consistent approach to human rights has been a tiger in trying to stop the importation of those goods made by convict labor.

Thus, it is now time that the United States, and particularly those committed to the labor movement, focus on the extensive prison labor force found in China, many of which, of course, are political prisoners.

Mr. Speaker, I believe that a case study should be made of the Chinese Laogai Archipelago and documentation provided. If those items which are coming into this country have been made in the gulags, the importation must cease immediately.

The Chinese prisons, as the gentleman from Virginia [Mr. **Wolf**] pointed out, and we visited one of them, are grim and the cheap work force is very, very extensive.

The Chinese system has developed several classifications for prisoners: Those convicted of criminal acts whose sentences entail labor reform, those administratively sentenced to reeducation through labor, and those having completed their original sentence, but administratively sentenced to forced job placement within a camp, while being paid a mere pittance.

There are an estimated 10 million prisoners working in over 3,000 labor camps and prisons across the vast Chinese countryside. The Chinese have adroitly gathered a massive slave labor force which works at little or no cost and which, by their own admission, acknowledge a definite edge on national development and have made a vast contribution to China's economic status.

The gentleman from Virginia [Mr. **Wolf**] and I were shown, as we walked and toured through Beijing Prison No. 1 where the socks were made and where the 'jelly' shoes were made. Samples of those were gleaned by our delegation and the gentleman from Virginia [Mr. **Wolf**] and I have provided these items to the appropriate authorities for inspection here in the United States.

Mr. Speaker, the documentation of prison labor items flooding the world market, some making

their way into the United States, is against U.S. law. Current U.S. law precludes the importation of gulag labor-made items. Those sample socks we hope will yield some results and give us a better indication as to whether or not they are being exported from China.

I would also like to draw the attention of my colleagues to the April 22, 1991, issue of Business Week, as described in the article, identifying the labor source of imports from China is extremely difficult, but that it seems to be going on. The article is entitled 'China's Ugly Export Secret: Prison Labor.' Very briefly I quote from it:

U.S. companies often place orders with Hong Kong buying agents for goods made in China. These agents make deals with an official Chinese shipper, who then contacts a Chinese supplier. The Chinese supplier farms out parts of the deal to subcontractors--and prisons usually come up with the lowest bid.

Everybody knows why, because the labor is so cheap. It goes on to say:

Since other Chinese factories are also making goods identical to those of the prison factory, it is hard for a buyer to determine which goods came from where.

In sum, Mr. Speaker, I believe that all of these human rights issues, and I think it is incumbent upon this Congress to be consistent itself in asserting that human rights are indivisible, all rights are important, including the coercive population control issue, including Tiananmen Square, including the forced labor issue, all of them need to be seen in a seamless way. They are all part of a larger fabric of protecting human rights, and these issues must be foremost in our minds as we consider renewing MFN, whether or not that would be advisable or whether or not certain conditions need to be affixed to MFN renewal for this next year.

I would like to thank, Mr. Speaker, the Chinese officials who set up our extensive agenda, the organization by the name of the Chinese People's Institute of Foreign Affairs helped establish a number of the contacts that were made. One of the things we tried to do during this trip was in no way to mince words. We were polite, diplomatic, but very, very much forthcoming and honest, because I think if we are to proceed with this dialog with the People's Republic of China, it has to be done in a way that is totally and brutally honest. Human rights must count. They count in this country. They must count everywhere in the world, including the People's Republic of China.

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